Exhibit F

AO 93 (Rev. 12/09) Search and Seizure Warrant (USAO CDCA Rev. 01/2013)

COPY

UNITED STATES DISTRICT COURT

for the

Central District of California

In the Matter of the Search of *(Briefly describe the property to be searched or identify the person by name and address)* 1235 Sierra Alta Way, West Hollywood, California	Case No.	14-1033M

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Central District of California *(identify the person or describe the property to be searched and give its location)*:

See Attachment A-3

The person or property to be searched, described above, is believed to conceal *(identify the person or describe the property to be seized)*:

See Attachment B-2

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property. Such affidavit(s) or testimony are incorporated herein by reference and will be provided to agents executing this warrant.

YOU ARE COMMANDED to execute this warrant on or before 14 days from the date of its issuance *(not to exceed 14 days)*

☑ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge on duty at the time of the return through a filing with the Clerk's Office. *(name)*

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized *(check the appropriate box)* ☐ for ________ days *(not to exceed 30)*.

☐ until, the facts justifying, the later specific date of ____________.

Date and time issued: 5/23/14, 12:35pm

VICTOR B. KENTON
Judge's signature

City and state: Los Angeles, California

Victor B. Kenton, U.S. Magistrate Judge
Printed name and title

AUSA: Consuelo Woodhead [initials] for CW

ATTACHMENT A-3

DESCRIPTION OF SUBJECT PREMISES #3 TO BE SEARCHED

1235 Sierra Alta Way, West Hollywood, CA

SUBJECT PREMISES #3 is a residence located at 1235 Sierra Alta Way, West Hollywood, California, including attached and unattached garages, guest houses, sheds, bunkers, outbuildings, storage containers, and trash receptacles. SUBJECT PREMISES #3 is more particularly described as a very large house located on the west side of Sierra Alta Way, just south of the intersection with Cordell Drive. The gold numbers "1235" can be seen on a wall next to the mailbox on the left side of the driveway. Most of the residence cannot be seen from the street. What can be seen from the street is a white structure with elongated rectangular windows. Near the base of the driveway are two black gates with lions on each gate.

ATTACHMENT B-2

SCHEDULE OF ITEMS TO BE SEIZED AT:

- SUBJECT PREMISES #3 located at 1235 Sierra Alta Way, West Hollywood, California
- SUBJECT PREMISES #4 located at 10600 Wilshire Boulevard, #725, Los Angeles, California

I. ITEMS TO BE SEIZED

1. The items to be seized are evidence of a scheme on the part of Julian Omidi, Michael Omidi, Cindy Omidi, the entities listed on Exhibit 1 hereto, and others to recruit patients for Lap-Band surgery by false and misleading advertising in violation of 21 U.S.C. § 331 (misbranding a medical device); make false statements to health insurance plans in violation of 18 U.S.C. § 1035; defraud health insurance plans and patients seeking Lap-Band surgery in violation of 18 U.S.C. § 1341 (mail fraud), 18 U.S.C. § 1347 (health care fraud), and 18 U.S.C. § 1349 (fraud conspiracy); launder the proceeds of such fraud in violation of 18 U.S.C. § 1956 (money laundering); evade the payment of income taxes, knowing fail to file income tax returns and file false income tax returns in violation of 26 U.S.C. §§ 7201, 7203, and 7206(1), and evidence and instrumentalities of a conspiracy to commit the foregoing offenses and to defraud the United States in violation of 18 U.S.C. § 371, namely:

a. For the time period January 1, 2008 to the present, the following items relating to Julian Omidi, Michael Omidi, Cindy Omidi, and/or any Entity listed on Exhibit 1:

1. Fictitious business name statements, articles of incorporation, by-laws, stock registers, meeting minutes and other documents showing ownership, management, or control.

2. Contracts, agreements, payments, and other documents reflecting or referencing relationships between or among any of the following: an Exhibit 1 Entity, Julian Omidi, Michael Omidi, Cindy Omidi, Shawn Pezeshk, Morton Elliot Alpert aka Elliot Alpert, or Charles Klasky.

3. Balance sheets, profit and loss statements, ledgers, journals, charts of accounts, financial statements, income statements, revenue statements and projections, statements of net worth, accounting software files, other financial and accounting records, and supporting documentation.

4. Any other documents showing actual or projected income, profits, expenses, losses, assets, or liabilities.

5. Bank statements and records, brokerage statements and records, investment records, purchase and sale records, account opening records, checks, wire transfers, money orders and other money transfer records, credit card records, check registers, cancelled checks, cashier's checks, and deposit records.

6. Property ownership records, trust documents, deeds, leases, and rental agreements.

7. Documents showing the location, ownership or control of any money, property, or assets in one's own name or the name of another person or entity, or the actual or contemplated transfer or disposition of any such money, property or assets.

8. Documents referencing or relating to the creation, ownership, control, operation, or management of an insurance company or the tax benefits of owning or controlling an insurance company.

9. Documents referencing or relating to Property Care Insurance.

10. Documents referencing or relating to any Nevis or other overseas trust.

11. Documents referencing the creation of any corporations, LLCs, or entities or the use of any new business names or addresses.

12. Pro-forma, draft, and final federal or state income or payroll tax returns and schedules, computations of actual or projected tax liabilities, and supporting workpapers and documentation

13. Documents relating to taxes or tax obligations, planning, preparation, evasion, avoidance, risks, penalties, liabilities, returns, payments, or the Internal Revenue Service (IRS).

14. Communications to, from, including ("cc"), or about Julian Omidi, Michael Omidi, or Cindy Omidi related to the Lap-Band, Lap-Band patients, or any other aspect of the business of any Exhibit 1 Entity.

15. Documents evidencing the involvement of Julian Omidi, Michael Omidi, or Cindy Omidi in matters relating to the Lap-Band, Lap-Band patients or any other aspect of the business of any Exhibit 1 entity.

16. Documents discussing or referencing the retention, destruction, or location of any records relating to Lap-Band patients.

17. Documents and other items evidencing the alteration, concealment, or destruction of any records relating to Lap-Band patients or of any financial records relating to Exhibit 1 Entities, Julian Omidi, Michael Omidi, or Cindy Omidi.

18. Documents identifying the occupants of the premises.

19. At Subject Premises #3 only: Calendars, appointment books, telephone message pads, day planners, address books, contact lists, and personal digital assistants for J. Omidi and C. Omidi.

20. At Subject Premises #4 only: Calendars, appointment books, telephone message pads, day planners, address books, contact lists, and personal digital assistants for M. Omidi.

b. Any digital device used to facilitate the above-listed violations and forensic copies thereof.

c. With respect to any digital device used to facilitate the above-listed violations or containing evidence falling within the scope of the foregoing categories of items to be seized:

i. evidence of who used, owned, or controlled the device at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, e-mail, e-mail contacts, chat and instant messaging logs, photographs, and correspondence;

ii. evidence of the presence or absence of software that would allow others to control the device, such as viruses, Trojan horses, and other forms of malicious software, as well as evidence of the presence or absence of security software designed to detect malicious software;

iii. evidence of the attachment of other devices;

iv. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the device;

v. evidence of the times the device was used;

vi. passwords, encryption keys, and other access devices that may be necessary to access the device;

vii. applications, utility programs, compilers, interpreters, or other software, as well as documentation and manuals, that may be necessary to access the device or to conduct a forensic examination of it;

viii. records of or information about Internet Protocol addresses used by the device;

ix. records of or information about the device's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses.

II. DEFINITIONS

2. The specified time period is deemed to include documents dated prior to the time period to the extent they pertain or relate to events, conditions, knowledge, or matters within the specified time period.

3. As used herein, the terms "documents," "records" and "evidence" include communications of any type, description or form.

4. As used herein, the terms "documents," "records," "programs," "applications," "materials," and other references to records of any specified type (e.g., "statements," "ledgers," "copies") includes documents, records, programs, applications, and materials created, modified, or stored in any form,

including in digital form on any digital device and any forensic copies thereof.

5. As used herein, the term "digital device" includes any electronic system or device capable of storing or processing data in digital form, including central processing units; desktop, laptop, notebook, and tablet computers; personal digital assistants; wireless communication devices, such as telephone paging devices, beepers, mobile telephones, and smart phones; digital cameras; peripheral input/output devices, such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media; related communications devices, such as modems, routers, cables, and connections; storage media, such as hard disk drives, floppy disks, memory cards, optical disks, and magnetic tapes used to store digital data (excluding analog tapes such as VHS); and security devices.

III. SEARCH PROCEDURE FOR DIGITAL DEVICES

6. In searching digital devices or forensic copies thereof, law enforcement personnel executing this search warrant will employ the following procedure:

a. Law enforcement personnel or other individuals assisting law enforcement personnel (the "search team") will, in their discretion, either search the digital device(s) on-site or seize and transport the device(s) to an appropriate law enforcement laboratory or similar facility to be searched at that location. The search team shall complete the search as soon as is practicable but not to exceed 60 days from the date of execution of the warrant. If additional time is needed, the government may seek an extension of this time period from the Court on or before the date by which the search was to have been completed.

b. The search team will conduct the search only by using search protocols specifically chosen to identify only the specific items to be seized under this warrant.

i. The search team may subject all of the data contained in each digital device capable of containing any of the items to be seized to the search protocols to determine whether the device and any data thereon falls within the list of items to be seized. The search team may also search for and attempt to recover deleted, "hidden," or encrypted data to determine, pursuant to the search protocols, whether the data falls within the list of items to be seized.

ii. The search team may use tools to exclude normal operating system files and standard third-party software that do not need to be searched.

c. When searching a digital device pursuant to the specific search protocols selected, the search team shall make and retain notes regarding how the search was conducted pursuant to the selected protocols.

d. If the search team, while searching a digital device, encounters immediately apparent contraband or other evidence of a crime outside the scope of the items to be seized, the team shall immediately discontinue its search of that device pending further order of the Court and shall make and retain notes detailing how the contraband or other evidence of a crime was encountered, including how it was immediately apparent contraband or evidence of a crime.

e. If the search determines that a digital device does not contain any data falling within the list of items to be seized, the government will, as soon as is practicable, return the device and delete or destroy all forensic copies thereof.

f. If the search determines that a digital device does contain data falling within the list of items to be seized, the government may make and retain copies of such data, and may access such data at any time.

g. If the search determines that a digital device is (1) itself an item to be seized and/or (2) contains data falling within the list of items to be seized, the government may retain forensic copies of the digital device but may not access them (after the time for searching the device has expired) absent further court order.

h. The government may retain a digital device itself until further order of the Court or one year after the conclusion of the criminal investigation or case (whichever is latest), only if the device is determined to be an instrumentality of an offense under investigation or the government, within 14 days following the time period authorized by the Court for completing the search, obtains an order from the Court authorizing retention of the device (or while an application for such an order is pending). Otherwise, the government must return the device.

i. Notwithstanding the above, after the completion of the search of the digital devices, the government shall not access digital data falling outside the scope of the items to be seized absent further order of the Court.

7. In order to search for data capable of being read or interpreted by a digital device, law enforcement personnel are authorized to seize the following items:

a. Any digital device capable of being used to commit, further or store evidence of the offense(s) listed above;

b. Any equipment used to facilitate the transmission, creation, display, encoding, or storage of digital data;

c. Any magnetic, electronic, or optical storage device capable of storing digital data;

d. Any documentation, operating logs, or reference manuals regarding the operation of the digital device or software used in the digital device;

e. Any applications, utility programs, compilers, interpreters, or other software used to facilitate direct or indirect communication with the digital device;

f. Any physical keys, encryption devices, dongles, or similar physical items that are necessary to gain access to the digital device or data stored on the digital device; and

g. Any passwords, password files, test keys, encryption codes, or other information necessary to access the digital device or data stored on the digital device.

8. The special procedures relating to digital devices found in this warrant govern only the search of digital devices pursuant to the authority conferred by this warrant and do not apply to any search of digital devices pursuant to any other court order.

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
	1-800-GET SLIM
1	1-800-GET-THIN, LLC
	1-800-MAKEOVER
2	1Search1, LLC
3	A1 Auto Rental, LLC
4	AIRUSLIFE, Inc.
5	ALJO Medical, Inc.
6	Almont Ambulatory Surgery Center, LLC
	Almont Ambulatory Surgery Center, Inc.
	Almont Surgery Center
7	Anesthesia Specialists, LLC
8	ANME Medical, Inc.
9	ANST Medical, Inc.
10	ARBO Medical, Inc.
11	ARKA Medical, Inc.
12	ARNO Medical, Inc.
13	ASC Advertising & Marketing, Inc.
14	ASC Capital Management, Inc.
15	ATAL Medical, Inc.
16	ATMA Medical, Inc.
17	Bakersfield Gastroenterology, LLC
18	Bakersfield Surgery Center, LLC
	Bakersfield Surgery Institute, Inc.
	Bakersfield Surgery Institute
19	BECH Medical, Inc.
20	Bentley Consulting, Ltd.
	Best Choice Plastic Surgery
	Best Choice Surgical Center
(See 6)	Beverly Hills Almont Surgery Center
21	Beverly Hills Anesthesia, LLC
22	Beverly Hills Gastroenterology, LLC

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
23	Beverly Hills Laboratory, LLC
24	Beverly Hills Surgery Center, LLC
25	Beverly Hills Surgery, LLC
	Beverly Hills Surgery Center of Valencia
	Beverly Hills Surgery Center of West Hills
26	Beverly Hills Ultrasound, LLC
27	BUMA Medical, Inc.
28	BYCH Medical, Inc.
29	California Hospital Management & Collections, Inc.
30	Call Us Now, Inc.
31	CAMA Medical, Inc.
32	Capital Market Solutions, Inc.
	Capital Market Solutions, LLC
33	Caring Health Services, LLC
34	CHTA Medical, Inc.
35	Ciel Promotions, Inc.
36	Ciro Surgery Center, LLC
37	Corrective Surgery Specialists, LLC
38	Cosmopolitan Plastic & Reconstructive Surgery
39	CYCH Medical, Inc.
40	DAGR Family Therapy, Inc.
41	DASP Medical, Inc.
42	DECH Medical, Inc.
43	DEKO Medical, Inc.
44	Devida USA, LLC
45	East Bay Ambulatory Surgery Center, LLC
46	East Bay Gastroenterology, LLC
47	EDBI Dietetics, LLC
48	EDCH Medical, Inc.
49	EDFI Medical, Inc.
50	ELAL Medical, Inc.

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
51	ELSZ Medical, Inc.
52	Endoscopy Specialists, LLC
53	EUKA Medical, Inc.
54	EURA Medical Inc.
55	FASA Medical, Inc.
56	FAZA Dietetics, LLC
57	First Choice Surgical Center
58	FJKJ, LLC
59	Forward Business Solutions LLC
60	FOSA Medical, Inc.
61	GAFA Medical, Inc.
62	GEME Medical, Inc.
63	GEME Ultrasound, Inc.
64	GETA Medical, Inc.
65	Golden State Practice Management, LLC
66	GUKO Medical, Inc.
67	Gynecology Specialists, LLC
68	HEDU Medical, Inc.
69	HOKA Medical, Inc.
70	HOLI Medical, Inc.
71	Hospital and ASC Management Services, Inc.
72	HRSC Medical, Inc.
73	Independent Medical Services, Inc.
74	IRSC Medical, Inc.
75	IVDI Medical, Inc.
76	IVHR Medical, Inc.
77	JAHA Medical, Inc.
78	JEGI Medical, Inc.
79	JEME Dietetics, LLC
80	JEPA Dietetics, LLC
81	JER Collection Specialists, Inc.

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
82	JODE Medical, Inc.
83	JOOG Medical, Inc.
84	JOPO Medical, Inc.
85	JOSI Medical, Inc.
86	JUGE Medical, Inc.
87	KATS Dietetics, LLC
88	Laboratory Specialists, LLC
89	LAMO Medical, Inc.
90	Lap Band Specialists, LLC
91	LEAU Medical, Inc.
92	LIZU Dietetics, LLC
93	MAFL Medical, Inc.
94	MAPE Family Therapy, Inc.
95	MAPE Medical, Inc.
96	MARA Medical, Inc.
97	MARY Dietetics, LLC
	McBean Ambulatory Surgery Center
98	McBean Surgery Center, Inc.
	McBean Surgery Center, LLC
	McBean Surgery Center
99	Medical Payment Processing, LLC
100	MILE Medical, Inc.
101	MIOM Medical, Inc.
102	MIPA Dietetics, LLC
103	MISE Medical, Inc.
104	Modern Institiute of Plastic Surgery & Antiaging, Inc
105	MORE Medical, Inc.
106	New Life Surgery Center, LLC
107	No More Poverty, Inc.
108	NUZA Medical, Inc.
109	OCM26, LLC

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
110	Orange Grove Surgery Center, LLC
111	Pacific Surgical and Laser Institute
112	Pacific West Dermatology
	Pacific West Dermatology, LLC
	Pacific West Plastic Surgery, Dermatology Center
	Pacific West Surgery Dermatology Center
113	Pacific West Management Group, Inc.
114	Palmdale Ambulatory Surgery Center, Inc.
	Palmdale Ambulatory Surgery Center, LLC
115	PENA Medical, Inc.
116	PESA Medical, Inc.
117	Property Care Insurance, Inc.
118	RAGR Dietetics, LLC
119	RAPA Medical, Inc.
120	RASH Medical, Inc.
121	RATA Medical, Inc.
122	Reconstructive Surgery Specialists of Southern California
123	REPE Dietetics, LLC
124	RIKA Medical, Inc.
125	ROAZ Medical, Inc.
126	RODO Nursing, Inc.
127	ROMC Medical, Inc.
128	San Diego Ambulatory Surgery Center, LLC
129	San Diego Anesthesia, LLC
130	San Diego Gastroenterology, LLC
131	San Diego Laboratory, LLC
132	San Diego Surgery, LLC
133	San Diego Ultrasound, LLC
134	San Joaquin Valley Surgery Center, LLC
135	SCGI Family Therapy, Inc.
136	Search Engine Placement Labs, LLC (aka, SEP Labs)

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
137	SEPA Medical, Inc.
138	SHHI Medical, Inc.
139	Silicon Valley Ambulatory Surgery Center, LLC
140	Skin Cancer and Reconstructive of California
	Skin Cancer and Reconstructive Special
	Skin Cancer and Reconstructive Surgery
141	Skin Cancer and Reconstructive Surgery Specialists of Beverly Hills
142	Skin Cancer and Reconstructive Surgery Specialists of Valencia
143	Skin Cancer and Reconstructive Surgery Specialists of West Hills
144	STLU Medical, Inc.
145	STMA Medical, Inc.
146	STRO Medical, Inc.
147	Surgery Center Management, LLC
148	SURO Medical, Inc.
149	THNA Medical, Inc.
150	Top Brokers, LLC
	Top Broker
	Top Brokers
	Top Brokerage
151	Top Surgeons, Inc.
	Top Surgeons, LLC
	Top Surgeons Plastic Surgery
	Top Surgeons Plastic Surgery and Dermatology
152	Top Surgeons Surgical Center
153	TSLE Medical, Inc.
154	Ultrasound Specialists, LLC
155	Valencia Ambulatory Surgery Center, LLC
	Valencia Ambulatory Surgery Center
156	Valencia Anesthesia, LLC
157	Valencia Gastroenterology, LLC aka Gastrorenerologia de Valencia

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
158	Valencia Laboratory, LLC
	Valencia Plastic and Reconstructive Surgery Center
	Valencia Plastic Surgery Center
159	Valencia Surgery, LLC
160	Valencia Surgical Center (Converted to McBean Surgical Center)
161	Valencia Surgical Center, Inc.
	Valencia Surgical Institute
162	Valencia Ultrasound, LLC
163	Valley Surgical Center, LLC
164	VCFB Management, Inc.
165	VIHA Medical, Inc.
166	VIMA Medical, Inc.
	Weight Loss Centers
	Weight Loss Centers of Beverly Hills
	Weight Loss Centers of West Hills
167	West Hills Anesthesia, LLC
168	West Hills Gastroenterology, LLC
169	West Hills Laboratory, LLC
170	West Hills Surgery, LLC
171	West Hills Ultrasound, LLC
172	WL Medical Solutions, Inc.
173	Woodlake Ambulatory Surgery Center, LLC
174	YVSI Nursing, Inc.

Even though many of the entity descriptions include "Inc." or "LLC," it is common for entities to be referred to in documents and communications without inclusion of the "Inc." or "LLC." Therefore, in seizing items pursuant to the search warrants, the agents should treat as equivalents references to entities with or without the "Inc" or "LLC." For example, a document that mentions "Top Surgeons" should be treated the same for purposes of the items to be seized as a document that mentions "Top Surgeons, Inc." or "Top Surgeons, LLC."

Exhibit G

COPY

UNITED STATES DISTRICT COURT

for the

Central District of California

In the Matter of the Search of
(Briefly describe the property to be searched or identify the person by name and address)
9001 Wilshire Boulevard, Beverly Hills, California, Suites 105, 106, and 207.

Case No. 14-1110 M

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Central District of California *(identify the person or describe the property to be searched and give its location)*:

See Attachment A-2

The person or property to be searched, described above, is believed to conceal *(identify the person or describe the property to be seized)*:

See Attachment B-1A

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property. Such affidavit(s) or testimony are incorporated herein by reference and will be provided to the agent(s).

YOU ARE COMMANDED to execute this warrant on or before 14 days from the date of its issuance *(not to exceed 14 days)*

☑ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge on duty at the time of the return through a filing with the Clerk's Office.
(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized *(check the appropriate box)* ☐ for ________ days *(not to exceed 30)*.

☐ until, the facts justifying, the later specific date of ____________.

Date and time issued: JUN - 4 3:58 p.m. VICTOR B. KENTON
Judge's signature

City and state: Los Angeles, California Victor B. Kenton, U.S. Magistrate Judge
Printed name and title

AUSA: Consuelo Woodhead CW

ATTACHMENT A-2

DESCRIPTION OF SUBJECT PREMISES #2 TO BE SEARCHED

9001 Wilshire Blvd, Suites 105, 106, & 207,

Beverly Hills, CA

SUBJECT PREMISES #2 consists of the offices, storage areas, and trash containers located at 9001 Wilshire Boulevard, Beverly Hills, California, Suites 105 (SUBJECT PREMISES #2A), 106 (SUBJECT PREMISES #2B), and 207 (SUBJECT PREMISES #2C) (collectively SUBJECT PREMISES #2) which is more particularly described as:

Suites 105 and 106 are office spaces within a three-story office building located on the north side of Wilshire Boulevard, between Wetherly Drive to the west and Almont Drive to the east. The numbers "9001" can be seen above the double glass doors that face Wilshire Boulevard. The exterior of the building is gray with smoke-colored windows. The building has several balconies that face Almont Drive. Suite 105 (SUBJECT PREMISES #2A) is located on the east side of the first floor next to Herbert's Pharmacy. The entrance to Suite 105 is a single frosted glass door. Suite 106 (SUBJECT PREMISES #2B) is located on the west side of the building lobby behind the directory. The entrance to Suite 106 is two frosted glass doors. To the right of the entrance is a sign attached to the wall that reads "106." Attached to one of the doors is a sign that reads "Independent Medical Services." Suite 207 is on the second floor on the west side of the building at the end of a hallway. The door to Suite 207 is at the end of the hallway on the right (north) side. The door is oak in color. The number "207" is marked immediately to the right of the door in raised nickel-color numbers. Under the numbers is a blank blue-colored name plate. Across the hall from Suite 207 is a door marked, "Stairs."

ATTACHMENT B-1A

SCHEDULE OF ITEMS TO BE SEIZED AT:

- SUBJECT PREMISES #1 located at 9100 Wilshire Boulevard, Suite 800E, Beverly Hills, California; and
- SUBJECT PREMISES #2 located at 9001 Wilshire Boulevard, Suites 105, 106 and 207, Beverly Hills, California.
- SUBJECT PREMISES #2 located at 9001 Wilshire Boulevard, Suite 103, Unmarked Room Immediately Adjacent to Suite 103, and Storage Area in Garage Level C.

I. ITEMS TO BE SEIZED

1. The items to be seized contained in Attachment B-1 which is attached hereto and incorporated herein by reference.

2. Items to be seized in Attachment B-1 which refer to an "Exhibit 1 entity" shall also include the following entities: Springhill Surgical Center, LLC; Oakhurst Surgical Center, LLC; Liberty Surgical Center, LLC; Royalty Surgical Center, LLC; Horizon Surgical Center, LLC; Evergreen Surgical Center, LLC; Sylvan Surgical Center, LLC; Meadow Surgical Center, LLC; Mulholland Surgical Center, LLC; Augustus Medical Services, Inc.; Imperium Medical Services, Inc.; and Salus Medical Services, Inc.

ATTACHMENT B-1

SCHEDULE OF ITEMS TO BE SEIZED AT:

- SUBJECT PREMISES #1 located at 9100 Wilshire Boulevard, Suite 800E, Beverly Hills, California; and
- SUBJECT PREMISES #2 located at 9001 Wilshire Boulevard, Suites 105, 106 and 207, Beverly Hills, California.

I. **ITEMS TO BE SEIZED**

1. The items to be seized are evidence of a scheme on the part of Julian Omidi, Michael Omidi, Cindy Omidi, the entities listed on Exhibit 1 hereto, and others to recruit patients for Lap-Band surgery by false and misleading advertising in violation of 21 U.S.C. § 331 (misbranding a medical device); make false statements to health insurance plans in violation of 18 U.S.C. § 1035; defraud health insurance plans and patients seeking Lap-Band surgery in violation of 18 U.S.C. § 1341 (mail fraud), 18 U.S.C. § 1347 (health care fraud), and 18 U.S.C. § 1349 (fraud conspiracy); launder the proceeds of such fraud in violation of 18 U.S.C. § 1956 (money laundering); evade the payment of income taxes, knowing fail to file income tax returns and file false income tax returns in violation of 26 U.S.C. §§ 7201, 7203, and 7206(1), and evidence and instrumentalities of a conspiracy to commit the foregoing offenses and to defraud the United States in violation of 18 U.S.C. § 371, namely:

a. For the time period January 1, 2008 to the present, the following items:

1. Scripts, presentations, brochures, hand-outs, and other documents showing or describing information provided to or withheld from Lap-Band patients.

2. Documents referencing or reflecting the payment of commissions, bonuses, or other compensation to any person or entity in connection with the recruitment, referral, or provision of any services to Lap-Band patients.

3. Medical, insurance, scheduling, billing, payment, and collection records and documents for Lap-Band patients.

4. Communications with or about Lap-Band patients.

5. Documents describing, referencing, or reflecting policies, protocols, practices, instructions, guidance, or advice that relate to or include Lap-Band patients.

6. Documents relating to the following: (a) Lap-Band surgery, (b) endoscopies (EGD), (c) sleep studies, (d) nutritional consultations, or (e) psychological consultations.

7. Documents describing, referencing, or reflecting policies, protocols, practices, instructions, guidance, or advice with respect to medical coding, medical billing, co-payments, deductibles, or charges to insurance companies, plans, or patients.

8. Documents referencing or reflecting any complaints by or disputes with health insurance companies or plans relating to Lap-Band patients.

9. Documents reflecting or referencing any health insurance company or health insurance plan audits, pre-payment review, post-payment review, or flagging of claims for services to Lap-Band patients.

10. Documents reflecting or referencing any other external or any internal audits or reviews of practices, services, or incidents relating to Lap-Band patients.

11. Documents reflecting or referencing any actions taken to facilitate or obtain payment by any insurance company or plan or to avoid insurance company/plan audits, pre-payment review, post-payment review, flagging, or scrutiny of claims for services to Lap-Band patients.

12. Medical insurance billing manuals, guidelines, books, bulletins and training materials.

13. Documents discussing, reflecting, or referencing health care laws, regulations or rules; the payment of commissions or kickbacks; co-payments or the waiver of co-payments; medical necessity requirements; the corporate practice of medicine; or laws, regulation, or rules relating to advertising of the Lap-Band or medical devices generally.

14. Articles of incorporation, by-laws, stock registers, fictitious business statements, meeting minutes and other

documents showing ownership, management, or control of any entity listed on Exhibit 1 ("Exhibit 1 Entity").

15. Contracts, agreements, payments, and other documents reflecting or referencing relationships between or among any of the following: an Exhibit 1 Entity, Julian Omidi, Michael Omidi, Cindy Omidi, Shawn Pezeshk, Morton Elliot Alpert aka Elliot Alpert, or Charles Klasky.

16. Contracts, agreements, payments, and other documents reflecting or referencing the relationship between any Exhibit 1 Entity and any physician, psychologist, nutritionist, licensed marital and family therapist, or other medical professional.

17. Lists of employees and independent contractors of Exhibit 1 entities.

18. Documents related to advertising, public relations, reputation management, or image control for any Exhibit 1 Entity, the Lap-Band, Julian Omidi, Michael Omidi, or Cindy Omidi.

19. Documents referencing creation of any corporations, LLCs, or entities, or the use of any new business name or address.

20. Communications to, from, including ("cc"), or about Julian Omidi, Michael Omidi, or Cindy Omidi related to the Lap-Band, Lap-Band patients, or any other aspect of the business of any Exhibit 1 Entity.

21. Documents evidencing the involvement of Julian Omidi, Michael Omidi, or Cindy Omidi in matters relating to the Lap-

Band, Lap-Band patients or any other aspect of the business of any Exhibit 1 entity.

22. Documents discussing or referencing the retention, destruction, or location of any records relating to Lap-Band patients.

23. Documents and other items evidencing the alteration, concealment, or destruction of any records relating to Lap-Band patients or of any financial records relating to Exhibit 1 Entities, Julian Omidi, Michael Omidi, or Cindy Omidi.

24. Documents relating to Property Care Insurance.

25. Calendars, appointment books, telephone message pads, day planners, address books, contact lists, and personal digital assistants for: Julian Omidi, Michael Omidi, Cindy Omidi, Roberto Matacangay, Maria Abaca, Charles Klasky, and Morton Elliot Alpert aka Elliot Alpert.

26. Balance sheets, profit and loss statements, ledgers, journals, charts of accounts, financial statements, income statements, revenue statements and projections, statements of net worth, accounting software files, other financial and accounting records for Exhibit 1 Entities, Julian Omidi, Michael Omidi, or Cindy Omidi, and supporting documentation.

27. Any other documents showing actual or projected income, profits, expenses, losses, assets, or liabilities of Exhibit 1 entities, Julian Omidi, Michael Omidi, or Cindy Omidi.

28. Bank statements and records, brokerage statements and records, investment records, purchase and sale records, account

opening records, checks, wire transfers, money orders and other money transfer records, credit card records, check registers, cancelled checks, cashier's checks, and deposit records of Exhibit 1 entities, Julian Omidi, Michael Omidi, or Cindy Omidi.

29. Property ownership records, trust documents, deeds, leases, and rental agreements for Exhibit 1 entities, Julian Omidi, Michael Omidi, or Cindy Omidi.

30. Documents showing the location, ownership, or control of any money, property, or assets of any Exhibit 1 Entity or of Julian Omidi, Michael Omidi, or Cindy Omidi, whether in the Entity's or individual's own name or the name of another person or entity, or the actual or contemplated transfer or disposition of any such money, property or assets.

31. Documents referencing or relating to the creation, ownership, control, operation, or management of an insurance company or the tax benefits of owning or controlling an insurance company.

32. Pro-forma, draft, and final federal or state income or payroll tax returns and schedules, computations of actual or projected tax liabilities, and supporting workpapers and documentation for any Exhibit 1 Entity, Julian Omidi, Michael Omidi, or Cindy Omidi.

33. Documents relating to taxes or tax obligations, planning, preparation, evasion, avoidance, risks, penalties, liabilities, returns, payments, or the Internal Revenue Service (IRS).

34. Documents identifying the occupants of the premises.

b. Any digital device used to facilitate the above-listed violations and forensic copies thereof.

c. With respect to any digital device used to facilitate the above-listed violations or containing evidence falling within the scope of the foregoing categories of items to be seized:

i. evidence of who used, owned, or controlled the device at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, e-mail, e-mail contacts, chat and instant messaging logs, photographs, and correspondence;

ii. evidence of the presence or absence of software that would allow others to control the device, such as viruses, Trojan horses, and other forms of malicious software, as well as evidence of the presence or absence of security software designed to detect malicious software;

iii. evidence of the attachment of other devices;

iv. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the device;

v. evidence of the times the device was used;

vi. passwords, encryption keys, and other access devices that may be necessary to access the device;

vii. applications, utility programs, compilers, interpreters, or other software, as well as documentation and manuals, that may be necessary to access the device or to conduct a forensic examination of it;

viii. records of or information about Internet Protocol addresses used by the device;

ix. records of or information about the device's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses.

II. DEFINITIONS

2. The specified time period is deemed to include documents dated prior to the time period to the extent they pertain or relate to events, conditions, knowledge, or matters within the specified time period.

3. As used herein, the term "Lap-Band patient" includes any patient who inquired about or underwent Lap-Band surgery, attended a seminar on Lap-Band surgery, underwent a bariatric physical exam, an EGD, and/or a sleep study, was described as a "bariatric" or "Lap-Band" patient, or was recorded as having a diagnosis of morbid obesity (ICD 9 Code 278.01).

4. As used herein, the terms "documents," "records" and "evidence" include communications of any type, description or form.

5. As used herein, the terms "documents," "records," "programs," "applications," "materials," and other references to records of any specified type (e.g., "statements," "ledgers," "copies") includes documents, records, programs, applications, and materials created, modified, or stored in any form, including in digital form on any digital device and any forensic copies thereof.

6. As used herein, the term "digital device" includes any electronic system or device capable of storing or processing data in digital form, including central processing units; desktop, laptop, notebook, and tablet computers; personal digital assistants; wireless communication devices, such as telephone paging devices, beepers, mobile telephones, and smart phones; digital cameras; peripheral input/output devices, such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media; related communications devices, such as modems, routers, cables, and connections; storage media, such as hard disk drives, floppy disks, memory cards, optical disks, and magnetic tapes used to store digital data (excluding analog tapes such as VHS); and security devices.

III. SEARCH PROCEDURE FOR DIGITAL DEVICES

6. In searching digital devices or forensic copies thereof, law enforcement personnel executing this search warrant will employ the following procedure:

a. Law enforcement personnel or other individuals assisting law enforcement personnel (the "search team") will, in their discretion, either search the digital device(s) on-site or seize and transport the device(s) to an appropriate law enforcement laboratory or similar facility to be searched at that location. The search team shall complete the search as soon as is practicable but not to exceed 60 days from the date of execution of the warrant. If additional time is needed, the government may seek an extension of this time period from the Court on or before the date by which the search was to have been completed.

b. The search team will conduct the search only by using search protocols specifically chosen to identify only the specific items to be seized under this warrant.

i. The search team may subject all of the data contained in each digital device capable of containing any of the items to be seized to the search protocols to determine whether the device and any data thereon falls within the list of items to be seized. The search team may also search for and attempt to recover deleted, "hidden," or encrypted data to determine, pursuant to the search protocols, whether the data falls within the list of items to be seized.

ii. The search team may use tools to exclude normal operating system files and standard third-party software that do not need to be searched.

c. When searching a digital device pursuant to the specific search protocols selected, the search team shall make and retain notes regarding how the search was conducted pursuant to the selected protocols.

d. If the search team, while searching a digital device, encounters immediately apparent contraband or other evidence of a crime outside the scope of the items to be seized, the team shall immediately discontinue its search of that device pending further order of the Court and shall make and retain notes detailing how the contraband or other evidence of a crime was encountered, including how it was immediately apparent contraband or evidence of a crime.

e. If the search determines that a digital device does not contain any data falling within the list of items to be seized, the government will, as soon as is practicable, return the device and delete or destroy all forensic copies thereof.

f. If the search determines that a digital device does contain data falling within the list of items to be seized, the government may make and retain copies of such data, and may access such data at any time.

g. If the search determines that a digital device is (1) itself an item to be seized and/or (2) contains data falling within the list of items to be seized, the government may retain forensic copies of the digital device but may not access them (after the time for searching the device has expired) absent further court order.

h. The government may retain a digital device itself until further order of the Court or one year after the conclusion of the criminal investigation or case (whichever is latest), only if the device is determined to be an instrumentality of an offense under investigation or the government, within 14 days following the time period authorized by the Court for completing the search, obtains an order from the Court authorizing retention of the device (or while an application for such an order is pending). Otherwise, the government must return the device.

i. Notwithstanding the above, after the completion of the search of the digital devices, the government shall not access digital data falling outside the scope of the items to be seized absent further order of the Court.

7. In order to search for data capable of being read or interpreted by a digital device, law enforcement personnel are authorized to seize the following items:

a. Any digital device capable of being used to commit, further or store evidence of the offense(s) listed above;

b. Any equipment used to facilitate the transmission, creation, display, encoding, or storage of digital data;

c. Any magnetic, electronic, or optical storage device capable of storing digital data;

d. Any documentation, operating logs, or reference manuals regarding the operation of the digital device or software used in the digital device;

e. Any applications, utility programs, compilers, interpreters, or other software used to facilitate direct or indirect communication with the digital device;

f. Any physical keys, encryption devices, dongles, or similar physical items that are necessary to gain access to the digital device or data stored on the digital device; and

g. Any passwords, password files, test keys, encryption codes, or other information necessary to access the digital device or data stored on the digital device.

8. The special procedures relating to digital devices found in this warrant govern only the search of digital devices pursuant to the authority conferred by this warrant and do not apply to any search of digital devices pursuant to any other court order.

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
	1-800-GET SLIM
1	1-800-GET-THIN, LLC
	1-800-MAKEOVER
2	1Search1, LLC
3	A1 Auto Rental, LLC
4	AIRUSLIFE, Inc.
5	ALJO Medical, Inc.
6	Almont Ambulatory Surgery Center, LLC
	Almont Ambulatory Surgery Center, Inc.
	Almont Surgery Center
7	Anesthesia Specialists, LLC
8	ANME Medical, Inc.
9	ANST Medical, Inc.
10	ARBO Medical, Inc.
11	ARKA Medical, Inc.
12	ARNO Medical, Inc.
13	ASC Advertising & Marketing, Inc.
14	ASC Capital Management, Inc.
15	ATAL Medical, Inc.
16	ATMA Medical, Inc.
17	Bakersfield Gastroenterology, LLC
18	Bakersfield Surgery Center, LLC
	Bakersfield Surgery Institute, Inc.
	Bakersfield Surgery Institute
19	BECH Medical, Inc.
20	Bentley Consulting, Ltd.
	Best Choice Plastic Surgery
	Best Choice Surgical Center
(See 6)	Beverly Hills Almont Surgery Center
21	Beverly Hills Anesthesia, LLC
22	Beverly Hills Gastroenterology, LLC

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
23	Beverly Hills Laboratory, LLC
24	Beverly Hills Surgery Center, LLC
25	Beverly Hills Surgery, LLC
	Beverly Hills Surgery Center of Valencia
	Beverly Hills Surgery Center of West Hills
26	Beverly Hills Ultrasound, LLC
27	BUMA Medical, Inc.
28	BYCH Medical, Inc.
29	California Hospital Management & Collections, Inc.
30	Call Us Now, Inc.
31	CAMA Medical, Inc.
32	Capital Market Solutions, Inc.
	Capital Market Solutions, LLC
33	Caring Health Services, LLC
34	CHTA Medical, Inc.
35	Ciel Promotions, Inc.
36	Ciro Surgery Center, LLC
37	Corrective Surgery Specialists, LLC
38	Cosmopolitan Plastic & Reconstructive Surgery
39	CYCH Medical, Inc.
40	DAGR Family Therapy, Inc.
41	DASP Medical, Inc.
42	DECH Medical, Inc.
43	DEKO Medical, Inc.
44	Devida USA, LLC
45	East Bay Ambulatory Surgery Center, LLC
46	East Bay Gastroenterology, LLC
47	EDBI Dietetics, LLC
48	EDCH Medical, Inc.
49	EDFI Medical, Inc.
50	ELAL Medical, Inc.

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
51	ELSZ Medical, Inc.
52	Endoscopy Specialists, LLC
53	EUKA Medical, Inc.
54	EURA Medical Inc.
55	FASA Medical, Inc.
56	FAZA Dietetics, LLC
57	First Choice Surgical Center
58	FJKJ, LLC
59	Forward Business Solutions LLC
60	FOSA Medical, Inc.
61	GAFA Medical, Inc
62	GEME Medical, Inc.
63	GEME Ultrasound, Inc.
64	GETA Medical, Inc.
65	Golden State Practice Management, LLC
66	GUKO Medical, Inc.
67	Gynecology Specialists, LLC
68	HEDU Medical, Inc.
69	HOKA Medical, Inc.
70	HOLI Medical, Inc.
71	Hospital and ASC Management Services, Inc.
72	HRSC Medical, Inc.
73	Independent Medical Services, Inc.
74	IRSC Medical, Inc.
75	IVDI Medical, Inc.
76	IVHR Medical, Inc.
77	JAHA Medical, Inc.
78	JEGI Medical, Inc.
79	JEME Dietetics, LLC
80	JEPA Dietetics, LLC
81	JER Collection Specialists, Inc.

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
82	JODE Medical, Inc.
83	JOOG Medical, Inc.
84	JOPO Medical, Inc.
85	JOSI Medical, Inc.
86	JUGE Medical, Inc.
87	KATS Dietetics, LLC
88	Laboratory Specialists, LLC
89	LAMO Medical, Inc.
90	Lap Band Specialists, LLC
91	LEAU Medical, Inc.
92	LIZU Dietetics, LLC
93	MAFL Medical, Inc.
94	MAPE Family Therapy, Inc.
95	MAPE Medical, Inc.
96	MARA Medical, Inc.
97	MARY Dietetics, LLC
	McBean Ambulatory Surgery Center
98	McBean Surgery Center, Inc.
	McBean Surgery Center, LLC
	McBean Surgery Center
99	Medical Payment Processing, LLC
100	MILE Medical, Inc.
101	MIOM Medical, Inc.
102	MIPA Dietetics, LLC
103	MISE Medical, Inc.
104	Modern Institute of Plastic Surgery & Antiaging, Inc
105	MORE Medical, Inc.
106	New Life Surgery Center, LLC
107	No More Poverty, Inc.
108	NUZA Medical, Inc.
109	OCM26, LLC

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
110	Orange Grove Surgery Center, LLC
111	Pacific Surgical and Laser Institute
112	Pacific West Dermatology
	Pacific West Dermatology, LLC
	Pacific West Plastic Surgery, Dermatology Center
	Pacific West Surgery Dermatology Center
113	Pacific West Management Group, Inc.
114	Palmdale Ambulatory Surgery Center, Inc.
	Palmdale Ambulatory Surgery Center, LLC
115	PENA Medical, Inc.
116	PESA Medical, Inc.
117	Property Care Insurance, Inc.
118	RAGR Dietetics, LLC
119	RAPA Medical, Inc.
120	RASH Medical, Inc.
121	RATA Medical, Inc.
122	Reconstructive Surgery Specialists of Southern California
123	REPE Dietetics, LLC
124	RIKA Medical, Inc.
125	ROAZ Medical, Inc.
126	RODO Nursing, Inc.
127	ROMC Medical, Inc.
128	San Diego Ambulatory Surgery Center, LLC
129	San Diego Anesthesia, LLC
130	San Diego Gastroenterology, LLC
131	San Diego Laboratory, LLC
132	San Diego Surgery, LLC
133	San Diego Ultrasound, LLC
134	San Joaquin Valley Surgery Center, LLC
135	SCGI Family Therapy, Inc.
136	Search Engine Placement Labs, LLC (aka, SEP Labs)

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
137	SEPA Medical, Inc.
138	SHHI Medical, Inc.
139	Silicon Valley Ambulatory Surgery Center, LLC
140	Skin Cancer and Reconstructive of California
	Skin Cancer and Reconstructive Special
	Skin Cancer and Reconstructive Surgery
141	Skin Cancer and Reconstructive Surgery Specialists of Beverly Hills
142	Skin Cancer and Reconstructive Surgery Specialists of Valencia
143	Skin Cancer and Reconstructive Surgery Specialists of West Hills
144	STLU Medical, Inc.
145	STMA Medical, Inc.
146	STRO Medical, Inc.
147	Surgery Center Management, LLC
148	SURO Medical, Inc.
149	THNA Medical, Inc.
150	Top Brokers, LLC
	Top Broker
	Top Brokers
	Top Brokerage
151	Top Surgeons, Inc.
	Top Surgeons, LLC
	Top Surgeons Plastic Surgery
	Top Surgeons Plastic Surgery and Dermatology
152	Top Surgeons Surgical Center
153	TSLE Medical, Inc.
154	Ultrasound Specialists, LLC
155	Valencia Ambulatory Surgery Center, LLC
	Valencia Ambulatory Surgery Center
156	Valencia Anesthesia, LLC
157	Valencia Gastroenterology, LLC aka Gastrorenerologia de Valencia

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
158	Valencia Laboratory, LLC
	Valencia Plastic and Reconstructive Surgery Center
	Valencia Plastic Surgery Center
159	Valencia Surgery, LLC
160	Valencia Surgical Center (Converted to McBean Surgical Center)
161	Valencia Surgical Center, Inc.
	Valencia Surgical Institute
162	Valencia Ultrasound, LLC
163	Valley Surgical Center, LLC
164	VCFB Management, Inc.
165	VIHA Medical, Inc.
166	VIMA Medical, Inc.
	Weight Loss Centers
	Weight Loss Centers of Beverly Hills
	Weight Loss Centers of West Hills
167	West Hills Anesthesia, LLC
168	West Hills Gastroenterology, LLC
169	West Hills Laboratory, LLC
170	West Hills Surgery, LLC
171	West Hills Ultrasound, LLC
172	WL Medical Solutions, Inc.
173	Woodlake Ambulatory Surgery Center, LLC
174	YVSI Nursing, Inc.

Even though many of the entity descriptions include "Inc." or "LLC," it is common for entities to be referred to in documents and communications without inclusion of the "Inc." or "LLC." Therefore, in seizing items pursuant to the search warrants, the agents should treat as equivalents references to entities with or without the "Inc" or "LLC." For example, a document that mentions "Top Surgeons" should be treated the same for purposes of the items to be seized as a document that mentions "Top Surgeons, Inc." or "Top Surgeons, LLC."

Exhibit H

UNITED STATES DISTRICT COURT

COPY

for the
Central District of California

In the Matter of the Search of
(Briefly describe the property to be searched or identify the person by name and address)
The server and other digital devices located in Cabinet ID: A3; Shelves: 7-12 at the premises of IX2, 624 South Grand Avenue (also known as One Wilshire Boulevard), Suite 1208, Los Angeles, California.

Case No. 14-1030M

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Central District of California *(identify the person or describe the property to be searched and give its location)*:

See Attachment A-5

The person or property to be searched, described above, is believed to conceal *(identify the person or describe the property to be seized)*:

See Attachment B-3

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property. Such affidavit(s) or testimony are incorporated herein by reference and will be provided to the agent(s) executing this warrant.

YOU ARE COMMANDED to execute this warrant on or before 14 days from the date of its issuance *(not to exceed 14 days)*

☑ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge on duty at the time of the return through a filing with the Clerk's Office.
(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized *(check the appropriate box)* ☐ for ________ days *(not to exceed 30)*.
☐ until, the facts justifying, the later specific date of ____________.

Date and time issued: 5/23/14 12:26pm

VICTOR B. KENTON
Judge's signature

City and state: Los Angeles, California

Victor B. Kenton, U.S. Magistrate Judge
Printed name and title

AUSA: Consuelo S. Woodhead CSW

Return		
Case No.:	*Date and time warrant executed:*	*Copy of warrant and inventory left with:*
Inventory made in the presence of :		
Inventory of the property taken and name of any person(s) seized: [Please provide a description that would be sufficient to demonstrate that the items seized fall within the items authorized to be seized pursuant to the warrant (e.g., type of documents, as opposed to "miscellaneous documents") as well as the approximate volume of any documents seized (e.g., number of boxes). If reference is made to an attached description of property, specify the number of pages to the attachment and any case number appearing thereon.]		

Certification (by officer present during the execution of the warrant)
I declare under penalty of perjury that I am an officer who executed this warrant and that this inventory is correct and was returned along with the original warrant to the designated judge through a filing with the Clerk's Office.

Date: ____________________

____
Executing officer's signature

____
Printed name and title

AUSA: Consuelo S. Woodhead

ATTACHMENT A-5

DESCRIPTION OF SUBJECT PREMISES #5 TO BE SEARCHED

One Wilshire Blvd, Suite 1208, Cabinet ID: A3;

Shelves: 7-12, Los Angeles, CA

SUBJECT PREMISES #5 is the location of the server and other digital devices located in Cabinet ID: A3; Shelves: 7-12 at the premises of IX2, 624 South Grand Avenue (also known as One Wilshire Boulevard), Suite 1208, Los Angeles, California. SUBJECT PREMISES #5 is more particularly described as follows: A cabinet with shelves located within Suite 1208, controlled by a company called IX2, on the 12th floor in a high-rise building located at 624 South Grand Avenue, Los Angeles, California. The building is located at the end of the intersection of Wilshire Boulevard and South Grand Avenue, between West 6th Street and West 7th Street, with office and retail space and a subterranean parking garage. The building is a white structure with glass windows on all sides of the building. "One Wilshire" is displayed in black lettering on the face of the building at the uppermost quadrant of the building as seen from the street. The building entrance is comprised of revolving glass entrance doors. The cabinet ID is A3 and the shelves are number 7 to 12.

ATTACHMENT B-3

SCHEDULE OF ITEMS TO BE SEIZED AT:

- SUBJECT PREMISES #5 computer server(s) and digital devices located at Cabinet A3, Shelves 7-12 at the premises of IX2, 624 south Grand Avenue,Suite 1208, Los Angeles, California

I. ITEMS TO BE SEIZED

1. The items to be seized are evidence of a scheme on the part of Julian Omidi, Michael Omidi, Cindy Omidi, the entities listed on Exhibit 1 hereto, and others to recruit patients for Lap-Band surgery by false and misleading advertising in violation of 21 U.S.C. § 331 (misbranding a medical device); make false statements to health insurance plans in violation of 18 U.S.C. § 1035; defraud health insurance plans and patients seeking Lap-Band surgery in violation of 18 U.S.C. § 1341 (mail fraud), 18 U.S.C. § 1347 (health care fraud), and 18 U.S.C. § 1349 (fraud conspiracy); launder the proceeds of such fraud in violation of 18 U.S.C. § 1956 (money laundering); evade the payment of income taxes, knowing fail to file income tax returns and file false income tax returns in violation of 26 U.S.C. §§ 7201, 7203, and 7206(1), and evidence and instrumentalities of a conspiracy to commit the foregoing offenses and to defraud the United States in violation of 18 U.S.C. § 371, namely:

a. For the time period January 1, 2008 to the present, the following items:

1. Medical, insurance, scheduling, billing, payment, and collection records and documents for Lap-Band patients.

2. Communications with or about Lap-Band patients.

3. Documents describing, referencing, or reflecting policies, protocols, practices, instructions, guidance, or advice that relate to or include Lap-Band patients.

4. Documents describing, referencing, or reflecting policies, protocols, practices, instructions, guidance, or advice with respect to medical coding, medical billing, co-payments, deductibles, or charges to insurance companies, plans, or patients.

b. Any digital device used to facilitate the above-listed violations and forensic copies thereof.

c. With respect to any digital device used to facilitate the above-listed violations or containing evidence falling within the scope of the foregoing categories of items to be seized:

i. evidence of who used, owned, or controlled the device at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, e-mail, e-mail contacts, chat and instant messaging logs, photographs, and correspondence;

ii. evidence of the presence or absence of software that would allow others to control the device, such as viruses, Trojan horses, and other forms of malicious software, as well as evidence of the presence or absence of security software designed to detect malicious software;

iii. evidence of the attachment of other devices;

iv. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the device;

v. evidence of the times the device was used;

vi. passwords, encryption keys, and other access devices that may be necessary to access the device;

vii. applications, utility programs, compilers, interpreters, or other software, as well as documentation and manuals, that may be necessary to access the device or to conduct a forensic examination of it;

viii. records of or information about Internet Protocol addresses used by the device;

ix. records of or information about the device's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses.

II. DEFINITIONS

2. The specified time period is deemed to include documents dated prior to the time period to the extent they pertain or relate to events, conditions, knowledge, or matters within the specified time period.

3. As used herein, the term "Lap-Band patient" includes any patient who inquired about or underwent Lap-Band surgery, attended a seminar on Lap-Band surgery, underwent a bariatric physical exam, an EGD, and/or a sleep study, was described as a "bariatric" or "Lap-Band" patient, or was recorded as having a diagnosis of morbid obesity (ICD 9 Code 278.01).

4. As used herein, the terms "documents," "records" and "evidence" include communications of any type, description or form.

5. As used herein, the terms "documents," "records," "programs," "applications," "materials," and other references to records of any specified type (e.g., "statements," "ledgers," "copies") includes documents, records, programs, applications, and materials created, modified, or stored in any form, including in digital form on any digital device and any forensic copies thereof.

6. As used herein, the term "digital device" includes any electronic system or device capable of storing or processing data in digital form, including central processing units;

desktop, laptop, notebook, and tablet computers; personal digital assistants; wireless communication devices, such as telephone paging devices, beepers, mobile telephones, and smart phones; digital cameras; peripheral input/output devices, such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media; related communications devices, such as modems, routers, cables, and connections; storage media, such as hard disk drives, floppy disks, memory cards, optical disks, and magnetic tapes used to store digital data (excluding analog tapes such as VHS); and security devices.

III. SEARCH PROCEDURE FOR DIGITAL DEVICES

6. In searching digital devices or forensic copies thereof, law enforcement personnel executing this search warrant will employ the following procedure:

a. Law enforcement personnel or other individuals assisting law enforcement personnel (the "search team") will, in their discretion, either search the digital device(s) on-site or seize and transport the device(s) to an appropriate law enforcement laboratory or similar facility to be searched at that location. The search team shall complete the search as soon as is practicable but not to exceed 60 days from the date of execution of the warrant. If additional time is needed, the government may seek an extension of this time period from the

Court on or before the date by which the search was to have been completed.

b. The search team will conduct the search only by using search protocols specifically chosen to identify only the specific items to be seized under this warrant.

i. The search team may subject all of the data contained in each digital device capable of containing any of the items to be seized to the search protocols to determine whether the device and any data thereon falls within the list of items to be seized. The search team may also search for and attempt to recover deleted, "hidden," or encrypted data to determine, pursuant to the search protocols, whether the data falls within the list of items to be seized.

ii. The search team may use tools to exclude normal operating system files and standard third-party software that do not need to be searched.

c. When searching a digital device pursuant to the specific search protocols selected, the search team shall make and retain notes regarding how the search was conducted pursuant to the selected protocols.

d. If the search team, while searching a digital device, encounters immediately apparent contraband or other evidence of a crime outside the scope of the items to be seized, the team shall immediately discontinue its search of that device pending further order of the Court and shall make and retain notes detailing how the contraband or other evidence of a crime was encountered, including how it was immediately apparent contraband or evidence of a crime.

e. If the search determines that a digital device does not contain any data falling within the list of items to be seized, the government will, as soon as is practicable, return the device and delete or destroy all forensic copies thereof.

f. If the search determines that a digital device does contain data falling within the list of items to be seized, the government may make and retain copies of such data, and may access such data at any time.

g. If the search determines that a digital device is (1) itself an item to be seized and/or (2) contains data falling within the list of items to be seized, the government may retain forensic copies of the digital device but may not access them (after the time for searching the device has expired) absent further court order.

h. The government may retain a digital device itself until further order of the Court or one year after the conclusion of the criminal investigation or case (whichever is latest), only if the device is determined to be an instrumentality of an offense under investigation or the government, within 14 days following the time period authorized by the Court for completing the search, obtains an order from the Court authorizing retention of the device (or while an application for such an order is pending). Otherwise, the government must return the device.

i. Notwithstanding the above, after the completion of the search of the digital devices, the government shall not access digital data falling outside the scope of the items to be seized absent further order of the Court.

7. In order to search for data capable of being read or interpreted by a digital device, law enforcement personnel are authorized to seize the following items:

a. Any digital device capable of being used to commit, further or store evidence of the offense(s) listed above;

b. Any equipment used to facilitate the transmission, creation, display, encoding, or storage of digital data;

c. Any magnetic, electronic, or optical storage device capable of storing digital data;

d. Any documentation, operating logs, or reference manuals regarding the operation of the digital device or software used in the digital device;

e. Any applications, utility programs, compilers, interpreters, or other software used to facilitate direct or indirect communication with the digital device;

f. Any physical keys, encryption devices, dongles, or similar physical items that are necessary to gain access to the digital device or data stored on the digital device; and

g. Any passwords, password files, test keys, encryption codes, or other information necessary to access the digital device or data stored on the digital device.

8. The special procedures relating to digital devices found in this warrant govern only the search of digital devices pursuant to the authority conferred by this warrant and do not apply to any search of digital devices pursuant to any other court order.

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
	1-800-GET SLIM
1	1-800-GET-THIN, LLC
	1-800-MAKEOVER
2	1Search1, LLC
3	A1 Auto Rental, LLC
4	AIRUSLIFE, Inc
5	ALJO Medical, Inc
6	Almont Ambulatory Surgery Center, LLC
	Almont Ambulatory Surgery Center, Inc
	Almont Surgery Center
7	Anesthesia Specialists, LLC
8	ANME Medical, Inc
9	ANST Medical, Inc.
10	ARBO Medical, Inc
11	ARKA Medical, Inc
12	ARNO Medical, Inc.
13	ASC Advertising & Marketing, Inc
14	ASC Capital Management, Inc.
15	ATAL Medical, Inc.
16	ATMA Medical, Inc.
17	Bakersfield Gastroenterology, LLC
18	Bakersfield Surgery Center, LLC
	Bakersfield Surgery Institute, Inc
	Bakersfield Surgery Institute
19	BECH Medical, Inc.
20	Bentley Consulting, Ltd.
	Best Choice Plastic Surgery
	Best Choice Surgical Center
(See 6)	Beverly Hills Almont Surgery Center
21	Beverly Hills Anesthesia, LLC
22	Beverly Hills Gastroenterology, LLC

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
23	Beverly Hills Laboratory, LLC
24	Beverly Hills Surgery Center, LLC
25	Beverly Hills Surgery, LLC
	Beverly Hills Surgery Center of Valencia
	Beverly Hills Surgery Center of West Hills
26	Beverly Hills Ultrasound, LLC
27	BUMA Medical, Inc
28	BYCH Medical, Inc
29	California Hospital Management & Collections, Inc
30	Call Us Now, Inc
31	CAMA Medical, Inc
32	Capital Market Solutions, Inc
	Capital Market Solutions, LLC
33	Caring Health Services, LLC
34	CHTA Medical, Inc.
35	Ciel Promotions, Inc.
36	Ciro Surgery Center, LLC
37	Corrective Surgery Specialists, LLC
38	Cosmopolitan Plastic & Reconstructive Surgery
39	CYCH Medical, Inc
40	DAGR Family Therapy, Inc.
41	DASP Medical, Inc
42	DECH Medical, Inc.
43	DEKO Medical, Inc
44	Devida USA, LLC
45	East Bay Ambulatory Surgery Center, LLC
46	East Bay Gastroenterology, LLC
47	EDBI Dietetics, LLC
48	EDCH Medical, Inc.
49	EDFI Medical, Inc.
50	ELAL Medical, Inc.

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
51	ELSZ Medical, Inc.
52	Endoscopy Specialists, LLC
53	EUKA Medical, Inc.
54	EURA Medical Inc.
55	FASA Medical, Inc.
56	FAZA Dietetics, LLC
57	First Choice Surgical Center
58	FJKJ, LLC
59	Forward Business Solutions LLC
60	FOSA Medical, Inc.
61	GAFA Medical, Inc.
62	GEME Medical, Inc
63	GEME Ultrasound, Inc
64	GETA Medical, Inc.
65	Golden State Practice Management, LLC
66	GUKO Medical, Inc
67	Gynecology Specialists, LLC
68	HEDU Medical, Inc
69	HOKA Medical, Inc.
70	HOLI Medical, Inc
71	Hospital and ASC Management Services, Inc.
72	HRSC Medical, Inc.
73	Independent Medical Services, Inc
74	IRSC Medical, Inc.
75	IVDI Medical, Inc.
76	IVHR Medical, Inc.
77	JAHA Medical, Inc.
78	JEGI Medical, Inc.
79	JEME Dietetics, LLC
80	JEPA Dietetics, LLC
81	JER Collection Specialists, Inc

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
82	JODE Medical, Inc.
83	JOOG Medical, Inc.
84	JOPO Medical, Inc
85	JOSI Medical, Inc.
86	JUGE Medical, Inc
87	KATS Dietetics, LLC
88	Laboratory Specialists, LLC
89	LAMO Medical, Inc
90	Lap Band Specialists, LLC
91	LEAU Medical, Inc
92	LIZU Dietetics, LLC
93	MAFL Medical, Inc.
94	MAPE Family Therapy, Inc.
95	MAPE Medical, Inc
96	MARA Medical, Inc.
97	MARY Dietetics, LLC
	McBean Ambulatory Surgery Center
98	McBean Surgery Center, Inc.
	McBean Surgery Center, LLC
	McBean Surgery Center
99	Medical Payment Processing, LLC
100	MILE Medical, Inc.
101	MIOM Medical, Inc.
102	MIPA Dietetics, LLC
103	MISE Medical, Inc.
104	Modern Institiute of Plastic Surgery & Antiaging, Inc
105	MORE Medical, Inc.
106	New Life Surgery Center, LLC
107	No More Poverty, Inc.
108	NUZA Medical, Inc
109	OCM26, LLC

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
110	Orange Grove Surgery Center, LLC
111	Pacific Surgical and Laser Institute
112	Pacific West Dermatology
	Pacific West Dermatology, LLC
	Pacific West Plastic Surgery, Dermatology Center
	Pacific West Surgery Dermatology Center
113	Pacific West Management Group, Inc.
114	Palmdale Ambulatory Surgery Center, Inc.
	Palmdale Ambulatory Surgery Center, LLC
115	PENA Medical, Inc
116	PESA Medical, Inc
117	Property Care Insurance, Inc
118	RAGR Dietetics, LLC
119	RAPA Medical, Inc
120	RASH Medical, Inc,
121	RATA Medical, Inc.
122	Reconstructive Surgery Specialists of Southern California
123	REPE Dietetics, LLC
124	RIKA Medical, Inc
125	ROAZ Medical, Inc.
126	RODO Nursing, Inc.
127	ROMC Medical, Inc.
128	San Diego Ambulatory Surgery Center, LLC
129	San Diego Anesthesia, LLC
130	San Diego Gastroenterology, LLC
131	San Diego Laboratory, LLC
132	San Diego Surgery, LLC
133	San Diego Ultrasound, LLC
134	San Joaquin Valley Surgery Center, LLC
135	SCGI Family Therapy, Inc
136	Search Engine Placement Labs, LLC (aka SEP Labs)

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
137	SEPA Medical, Inc.
138	SHHI Medical, Inc.
139	Silicon Valley Ambulatory Surgery Center, LLC
140	Skin Cancer and Reconstructive of California
	Skin Cancer and Reconstructive Special
	Skin Cancer and Reconstructive Surgery
141	Skin Cancer and Reconstructive Surgery Specialists of Beverly Hills
142	Skin Cancer and Reconstructive Surgery Specialists of Valencia
143	Skin Cancer and Reconstructive Surgery Specialists of West Hills
144	STLU Medical, Inc.
145	STMA Medical, Inc
146	STRO Medical, Inc
147	Surgery Center Management, LLC
148	SURO Medical, Inc
149	THNA Medical, Inc
150	Top Brokers, LLC
	Top Broker
	Top Brokers
	Top Brokerage
151	Top Surgeons, Inc.
	Top Surgeons, LLC
	Top Surgeons Plastic Surgery
	Top Surgeons Plastic Surgery and Dermatology
152	Top Surgeons Surgical Center
153	TSLE Medical, Inc.
154	Ultrasound Specialists, LLC
155	Valencia Ambulatory Surgery Center, LLC
	Valencia Ambulatory Surgery Center
156	Valencia Anesthesia, LLC
157	Valencia Gastroenterology, LLC aka Gastrorenerologia de Valencia

EXHIBIT 1

Assigned Entity Number	OMIDI/GET THIN ENTITIES and DBAs
158	Valencia Laboratory, LLC
	Valencia Plastic and Reconstructive Surgery Center
	Valencia Plastic Surgery Center
159	Valencia Surgery, LLC
160	Valencia Surgical Center (Converted to McBean Surgical Center)
161	Valencia Surgical Center, Inc
	Valencia Surgical Institute
162	Valencia Ultrasound, LLC
163	Valley Surgical Center, LLC
164	VCFB Management, Inc
165	VIHA Medical, Inc.
166	VIMA Medical, Inc
	Weight Loss Centers
	Weight Loss Centers of Beverly Hills
	Weight Loss Centers of West Hills
167	West Hills Anesthesia, LLC
168	West Hills Gastroenterology, LLC
169	West Hills Laboratory, LLC
170	West Hills Surgery, LLC
171	West Hills Ultrasound, LLC
172	WL Medical Solutions, Inc.
173	Woodlake Ambulatory Surgery Center, LLC
174	YVSI Nursing, Inc

Even though many of the entity descriptions include "Inc." or "LLC," it is common for entities to be referred to in documents and communications without inclusion of the "Inc." or "LLC." Therefore, in seizing items pursuant to the search warrants, the agents should treat as equivalents references to entities with or without the "Inc" or "LLC." For example, a document that mentions "Top Surgeons" should be treated the same for purposes of the items to be seized as a document that mentions "Top Surgeons, Inc." or "Top Surgeons, LLC."

INVENTORY OF ITEMS TO BE SEIZED PURSUANT TO SEARCH WARRANT

Location: 1X2 624 S. Grand Ave Suite 1208 Los Angeles, CA Cabinet A3 Shelves 7-12

Date of Inventory: 6/4/14

Page 1 of 1

Item Number	Description
1	Dell Poweredge 810 server, Service Tag 3TDTJN1
2	Dell Poweredge 710 Server Service Tag 12ZJCP1
3	Toshiba External Hard Drive, S/N 23D1THMVTTT1
4	Seagate NAS, s/n 2GG20TRC
5	Netgear GS108 Switch s/n 2162B3H0CA19
6	Sonicwall 2400 NSA, s/n 0017C5C1B650

Exhibit I

United States Department of Justice

United States Attorney's Office
Central District of California

AUSA Evan J. Davis
Phone: (213) 894-4850
E-mail: evan.davis@usdoj.gov

1100 United States Courthouse
312 North Spring Street
Los Angeles, California 90012

June 19, 2014

VIA U.S. MAIL

Matthew D. Umhofer
Spertus, Landes & Umhofer, LLP
1990 South Bundy Dr., Suite 705
Los Angeles, CA 90025

Re: United States v. Cindy Omidi,
CR No. 13-00739-SVW

Dear Mr. Umhofer:

This letter responds to your June 11, 2014 letter requesting discovery and your follow-up letter sent on June 17, 2014.

Discovery produced

On June 16, 2014, the government provided you discovery in this matter. The government believes that the discovery provided satisfies its discovery obligations. Once the Court signs the ex parte applications allowing the government to produce records that may implicate Federal Rule of Criminal Procedure 6(e) and for limited unsealing of certain pleadings, the government will also provide you (1) financial records of various individuals and entities covering the period alleged in the Indictment; and (2) the documents relating to the sealing of the Indictment.

Your request for search warrant evidence and our phone conference

We believe your June 11, 2014 letter seeks evidence well beyond what could possibly be relevant or discoverable in this case. It seeks evidence not only related to the allegations contained in the Indictment, but also discovery into an ongoing criminal investigation of separate criminal activity, including evidence from recent searches. The search evidence consists of an estimated 1,700 boxes of evidence as well as 100 terabytes of data ("the seized evidence").

So as to try to limit or eliminate any concerns about discovery in this structuring case – one that we view as very narrow – we spoke earlier this week regarding the government's present intentions regarding how the case would be presented. Counsel for Ms. Omidi raised a number of areas of concern and the parties discussed possibly stipulating to certain items to simplify the discovery process, avoid pretrial litigation, and to streamline the trial.

First, we noted that Ms. Omidi's discovery request appeared to assume that the government would be showing that the structuring was based on a "pattern of illegal activity" beyond the structuring itself. We stated that the "pattern of illegal activity" alleged in the Indictment consists only of the structuring itself. See 31 U.S.C. § 5324(d)(2) (stating that enhancement applies when violating another law of the United States *or* as a pattern of any illegal activity involving more than $100,000 in a 12-month period); United States v. Peterson, 607 F.3d 975 (4th Cir. 2010) (analyzing in detail identical provision in Sentencing guidelines); United States v. $79,650.00 Seized from Bank of Am., 650 F.3d 381, 387 (4th Cir. 2011) (noting that enhanced penalty applied because defendant structured more than $100,000 in a 12-month period).

We also noted that, at present, the government intends to keep the search warrant affidavit(s) under seal, and therefore the government cannot and will not introduce any seized evidence. We discussed whether the government would be willing to stipulate to not using any seized evidence. You requested that we also consider agreeing not to obtain or use any evidence derived from the seized evidence. We did not commit to doing either, but said that we would consider this proposal, particularly if doing so would avoid any time-consuming discovery disputes.

In addition, we also indicated that, at present, the government does not plan on presenting evidence at trial demonstrating the source of the cash that Ms. Omidi structured. You asked that we consider reducing that to a stipulation. You also asked that we consider stipulating that the government is not alleging that the source of the funds was an illegal or illicit source, and that the funds were not used for an illegal purpose. We will continue to consider your suggestions, and are requesting a follow-up call so as to determine whether the parties can reach any stipulations.

The government will produce all seized evidence assuming no privilege prevents such disclosure, plus Ms. Omidi's emails

My colleagues and I continued to discuss the discovery issues after this phone conference. We determined that the government has no reason to believe any of the evidence seized during the June 4, 2014 searches would be relevant to the instant case or contain any Brady information. Those searches were targeted at other criminal activity and structuring was not a targeted crime. Moreover, if there was such evidence, Ms. Omidi would know about it since the materials were taken from her or entities in which she is associated. Nevertheless, to the extent privilege/taint issues have been satisfied as to any requested evidence, the government will make available for inspection and onsite copying any of the seized physical evidence and will copy the contents of the 100 terabytes of data (or whatever subset you request) onto digital storage devices provided by you. The copying of data could take weeks or longer, depending on the volume requested, so please determine which devices you would like to have copied as soon as possible, and we will address any technical and privilege issues as they arise. Providing a copy of digital devices – none of which have been reviewed for their content – and access to the physical evidence fulfills the government's discovery obligations. Over the course of the months-long review, to the extent agents identify discoverable information during their review – and they will be instructed to search for Brady, Jencks, Giglio, and Rule 16 items – we will of course turn that information over as soon as practicable. I am enclosing as Exhibit 1, a CD containing the inventories from the search warrants so that we can confer regarding which materials you would like us to make available for Ms. Omidi's review.

The government is also in possession of emails from Ms. Omidi from various sources, and may continue to receive emails. We have reviewed and will continue to review those emails and documents; to date, we have not identified any emails that appear to be relevant to this case. Nevertheless, we will search for and provide Ms. Omidi's emails from sources other than the seized evidence, which as noted will be provided as described above. This will take some time.

Remaining issues in the discovery letter, and Sixth Amendment concern

Other than what has been produced, I am aware of no government communication or contact with Ms. Omidi between October 6, 2013 and June 6, 2014.

With respect to your request for CBRS records for Ms. Omidi, we are aware of no CTRs or CMIRs. To the extent your request would seek Suspicious Activity Reports, we object to your request and will not comment on the existence or absence of such reports. See 31 C.F.R. § 1020.320(e).

Finally, you expressed concern regarding the agent's attempt to interview Ms. Omidi after her Indictment and after she was Mirandized, despite that there was no indication at the time of her arrest that she was represented in this matter, citing the attachment of counsel and the Sixth Amendment. The entire interaction between Ms. Omidi and the arresting agents in this case was provided in Document Production 002. We believe your concerns are contrary to well-established law. See Patterson v. Illinois, 487 U.S. 285 (1988). In the event you have continuing concerns, feel free to raise them with us.

Please let me know if you have any questions, or would like to further discuss any of the matters raised above.

Very truly yours,

EVAN J. DAVIS
Assistant United States Attorney
Major Frauds Section

cc: AUSA Consuelo S. Woodhead
AUSA David L. Kirman
AUSA Aaron M. May

Enclosures (as stated)